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REMARKS

This amendment is intended as a full and complete response to the non-final Action mailed December 23, 2003. In that Action the Examiner notes that claims 1-9 are pending and that claims 1-9 stand rejected. Claims 1-6 and 8-9 continue unamended and claim 7 is cancelled.

In view of the following discussion, the applicants submit that none of the claims now pending in the application are non-enabling, anticipated, or obvious under the respective provisions of 35 U.S.C. §112, §102, and §103. Thus, the applicants believe that all pending claims are allowable.

It is to be understood that the applicants are not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims.

Statement of Common Ownership

The following statement is intended to fulfill the requirements of M.P.E.P 706(l)(2) to establish common ownership of the subject invention and a reference that is cited against the subject application.

The subject application and the subject matter of the cited reference U.S. Patent No. 6,415,437 to Ludvig et al. were, at the time the subject invention was made, owned by or were subject to an obligation of assignment to, the same entity.

REJECTION OF CLAIMS UNDER 35 U.S.C. §103(a)**Claims 1-6 and 9**

The Examiner has rejected claims 1-6, and 9 under 35 U.S.C. §103(a) as being unpatentable over Ludvig et al. U.S. Patent No. 6,415,437 ("Ludvig") in further view of Ribas-Corbera et al. (U.S. 2002/0122598) ("Ribas-Corbera"). Applicants respectfully traverse the rejection of claims 1-6 and 9.

As provided above, the subject matter of Ludvig and the claimed invention were commonly owned at the time the invention was made. On information and belief Ludvig is prior art to the subject invention only under 35 USC 102(e). Consequently, 35 USC 103(c) bars the use of Ludvig to prevent patenting of the

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subject invention. Furthermore, Ribas-Corbera does not disclose a user interface, an information section for a user interface, or a background section for a user interface. Thus pending claims 1-6 and 9 are allowable.

Additionally, the Office Action reliance on Ribas-Corbera as teaching skip encoding is misplaced. Ribas-Corbera teaches a technique of encoding digital images in low bit rate, low delay communication environments by selecting which video frames and which image regions should be skipped before encoding. By intelligently selecting which blocks of data not to compress, more efficient use of available computation resources is obtained. Ribas-Corbera specifically teaches block and frame skipping by deciding which image regions, blocks or frames in a video frame or series of frames should not be encoded.

The teaching of skipping which blocks of data not to compress is not related to skip encoding to produce a blank background. Skip encoding refers to the use of slices that do not change from their intra-coded values at a reference time, see page 15, lines 10-16, page 29, line 29 through page 30, line 12, and Figures 21 and 22.

As Ludvig cannot be used as a reference against the subject invention, and as Ribas-Corbera does not suggest a user interface or skip encoding, independent claims 1 and 9 are allowable. Furthermore, claims 2-6, which depend from claim 1, are also allowable. Therefore, the Applicants respectfully request that the 35 U.S.C. §103 rejection of claims 1-6 and 9 be withdrawn.

Claim 8

The Examiner has rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over Ludvig in further view of Ribas-Corbera and Barton et al. (U.S. 2001/0017892).

Regarding the rejection of claim 8, Applicants' claim 8 recites:

"A method for encoding a user interface which comprises an information section and a display section, the method comprising:
dividing the information section into macroblocks;
forward transforming each macroblock to generate a transformed image;
quantizing the transformed image to generate a quantized image; and

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encoding the quantized image to generate an encoded image of each macroblock, where the information section includes background stripes, and where the macroblocks do not cross any border between two adjacent background stripes. (Emphasis added).

As Ludvig cannot be used as a reference against the subject invention, claim 8 is allowable. The foregoing discussion of Ribas-Corbera also applies to the rejection of claim 8.

According to claim 8, a user interface has an information section with background stripes, and which is divided into macroblocks. However, those macroblocks have a special characteristic: they are formed such that they do not cross any border between adjacent background stripes. Thus, when encoding the information section that section is parsed into macroblocks that can be efficiently encoded.

The Examiner relies on Barton to teach macroblocks that do not cross any border between two adjacent background strips. Barton actually teaches an analog video tagging and encoding system in which an analog tag frame is inserted into an analog video stream. That tag frame is such that the luminance (Y) is set close to black and a structured color pattern is formed in the chrominance portions of the frame. The color pattern is (nearly) invisible but contains information such as program start/stop times, program segment identification, or data downloads. When the color pattern is digitized the tag information can be easily recognized. In a simple embodiment, the structured analog color pattern appears as a pattern of colored blocks that are aligned with the macroblock segmentation of MPEG encoding. Barton asserts that this causes the DC component of the encoded Cr and Cb macroblocks to precisely reflect the color pattern. Two colors with extremely different Cr or Cb values can be used for binary encoding. Multiple bits of tag information can be encoded in each macroblock. Phase encoding can also be used.

With all respect to the Examiner, Barton does not teach a user interface having an information section having background stripes and a display section as recited in claim 8. Consequently, Barton cannot suggest using macroblocks that do not cross any border between two adjacent background stripes as recited in claim 8.

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In fact, Barton does not teach aligning macroblocks at all. In the paragraph [0056] relied on by the Examiner for teaching macroblocks that do not cross borders between adjacent background stripes, Barton actually discloses aligning individual blocks within macroblocks (which form a frame). The aligned blocks represent the method Barton uses to impress information within a frame (which is comprised of macroblocks).

As Ribas-Corbera and Barton, either individually or in any permissible combination, do not teach macroblocks that do not cross borders between adjacent background stripes, the Applicants submit that claim 8 is not obvious and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, the Applicants respectfully request that the 35 U.S.C. §103 rejection of claim 8 be withdrawn.

Claim 7

The Examiner has rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Barret et al. U.S. Patent No. 6,412,112 in further view of Konstantinides et al. US 2002/0001412 ("Konstantinides"). Applicants have cancelled claim 7.

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CONCLUSION

The Applicants submit that none of the currently pending claims in the application is obvious under the provisions of 35 U.S.C. §103. Consequently, the Applicants believe that all pending claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or John M. Kelly at (908) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

3/23/04

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